

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 08 July 2011 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Page 1 of the IDS is a duplicate of an IDS that was considered 04 December 2007. As for pages 2-3 of the IDS, though Japanese Patent Application No. 2004-013498 may have been mentioned in another publication, the Applicant has failed to provide a copy of it. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Conclusion

2. The Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant, in preparing the responses, to fully consider each of the cited references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage disclosed by the Examiner.

With respect to any amendments to the claimed invention, it is respectfully requested that Applicant indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

If Applicant intends to make numerous amendments the Examiner respectfully requests that Applicant submit a clean copy of the claims in addition to the marked up copy of the claims in order to expedite the examination process.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Fearer whose telephone number is 571-270-1770. The examiner can normally be reached on Monday - Friday 0800-1700 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on (571)-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Fearer
/MDF/
August 15, 2011

/TONIA L.M. DOLLINGER/

Supervisory Patent Examiner, Art Unit 2443